

ROANOKE CITY COUNCIL

October 17, 2005

2:00 p.m.

The Council of the City of Roanoke met in regular session on Monday, October 17, 2005, at 2:00 p.m., the regular meeting hour, in the Roanoke City Council Chamber, Room 450, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with Mayor C. Nelson Harris presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended, and pursuant to Resolution No. 37109-070505 adopted by the Council on Tuesday, July 5, 2005.

PRESENT: Council Members Brian J. Wishneff, Alfred T. Dowe, Jr., Beverly T. Fitzpatrick, Jr., Sherman P. Lea and Mayor C. Nelson Harris -----5.

ABSENT: Council Members M. Rupert Cutler and Brenda L. McDaniel-----2.

The Mayor declared the existence of a quorum.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

The invocation was delivered by Vice-Mayor Beverly T. Fitzpatrick, Jr.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Harris.

PRESENTATIONS AND ACKNOWLEDGEMENTS:

PROCLAMATIONS: The Mayor presented a proclamation to Mary Pinkerton, Program Manager, Lead Safe Roanoke, declaring October 23 - 29, 2005, as Childhood Lead Poisoning Prevention Week.

CONSENT AGENDA

The Mayor advised that all matters listed under the Consent Agenda were considered to be routine by the Members of Council and would be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion was desired, the item would be removed from the Consent Agenda and considered separately. He called specific attention to three requests for Closed Session.

MINUTES: Minutes of the regular meeting of Council held on Tuesday, September 6, 2005, were before the body.

Vice-Mayor Fitzpatrick moved that the reading of the minutes be dispensed with and that the minutes be approved as recorded. The motion was seconded by Council Member Dowe and adopted by the following vote:

AYES: Council Members Wishneff, Dowe, Fitzpatrick, Lea and Mayor Harris-----5.

NAYS: None -----0.

(Council Members Cutler and McDaniel were absent.)

CITY COUNCIL: A communication from Mayor C. Nelson Harris requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended, was before the body.

Vice-Mayor Fitzpatrick moved that Council convene in Closed Session as abovedescribed. The motion was seconded by Council Member Dowe and adopted by the following vote:

AYES: Council Members Wishneff, Dowe, Fitzpatrick, Lea and Mayor Harris-----5.

NAYS: None -----0.

(Council Members Cutler and McDaniel were absent.)

COMMITTEES-ROANOKE CIVIC CENTER: A communication from Monica S. Jones tendering her resignation as a member of the Roanoke Civic Center Commission, effective immediately, was before Council.

Vice-Mayor Fitzpatrick moved that the resignation be accepted and that the communication be received and filed. The motion was seconded by Council Member Dowe and adopted by the following vote:

AYES: Council Members Wishneff, Dowe, Fitzpatrick, Lea and Mayor Harris-----5.

NAYS: None -----0.

(Council Members Cutler and McDaniel were absent.)

COMMITTEES-HOUSING/AUTHORITY: A communication from Rich McGimsey tendering his resignation as a member of the Fair Housing Board, effective immediately, was before Council.

Vice-Mayor Fitzpatrick moved that the resignation be accepted and that the communication be received and filed. The motion was seconded by Council Member Dowe and adopted by the following vote:

AYES: Council Members Wishneff, Dowe, Fitzpatrick, Lea and Mayor Harris-----5.

NAYS: None -----0.

(Council Members Cutler and McDaniel were absent.)

TAXES-REAL ESTATE VALUATION: A communication from the Honorable Clifford R. Weckstein, Judge, Twenty-third Judicial Circuit Court of Virginia, transmitting the 2005 Annual Report of the Board of Equalization for the taxable year July 1, 2005 through June 30, 2006, was before Council.

Judge Weckstein advised that members of the Board of Equalization rendered signal service, hearing and deciding 107 appeals (75 residential and 32 commercial and industrial), for an increase of almost 73 per cent from the 62 appeals that were considered last year.

He further advised that under City Code §32-39, Board of Equalization members "receive such per diem compensation for the time actually engaged in the duties of the board as may be fixed by city council"; the current per diem amount is \$100.00, which is the amount that Council established more than two decades ago; therefore, on behalf of the Board of Equalization, Judge Weckstein suggested that Council consider a substantial increase in the per diem amount.

Vice-Mayor Fitzpatrick moved that the communication and report be received and filed. The motion was seconded by Council Member Dowe and adopted by the following vote:

AYES: Council Members Wishneff, Dowe, Fitzpatrick, Lea and Mayor Harris-----5.

NAYS: None -----0.

(Council Members Cutler and McDaniel were absent.)

CITY COUNCIL: A communication from the City Attorney requesting that Council convene in a Closed Meeting to consult with legal counsel regarding actual litigation where such consultation in open session would adversely affect the City's negotiating or litigation posture, pursuant to Section 2.2-3711 (A)(7), Code of Virginia (1950), as amended, was before the body.

Vice-Mayor Fitzpatrick moved that Council convene in Closed Session as abovedescribed. The motion was seconded by Council Member Dowe and adopted by the following vote:

AYES: Council Members Wishneff, Dowe, Fitzpatrick, Lea and Mayor Harris-----5.

NAYS: None -----0.

(Council Members Cutler and McDaniel were absent.)

OATHS OF OFFICE-PARKS AND RECREATION-COMMITTEES-COURT COMMUNITY CORRECTIONS BOARD-ARCHITECTURAL REVIEW BOARD: The following report of qualification was before Council:

Alison S. Blanton as a member of the Architectural Review Board, for a term ending October 1, 2009;

Talfourd H. Kemper, Jr., as a member of the Roanoke Valley Greenway Commission, for a term ending June 30, 2007; and

Julian H. Raney, Jr., as a member of the Court Community Corrections Program Regional Community Criminal Justice Board, for a term ending June 30, 2008.

Vice-Mayor Fitzpatrick moved that the report of qualification be received and filed. The motion was seconded by Council Member Dowe and adopted by the following vote:

AYES: Council Members Wishneff, Dowe, Fitzpatrick, Lea and Mayor Harris-----5.

NAYS: None -----0.

(Council Members Cutler and McDaniel were absent.)

CITY COUNCIL-CITIZEN OF THE YEAR: A communication from Mayor C. Nelson Harris requesting that Council convene in a Closed Meeting to discuss nominations for 2005 Citizen of the Year, pursuant to Section 2.2-3711(A)(10), Code of Virginia (1950), as amended, was before the body.

Vice-Mayor Fitzpatrick moved that Council convene in Closed Session as abovedescribed. The motion was seconded by Council Member Dowe and adopted by the following vote:

AYES: Council Members Wishneff, Dowe, Fitzpatrick, Lea and Mayor Harris-----5.

NAYS: None -----0.

(Council Members Cutler and McDaniel were absent.)

REGULAR AGENDA

PUBLIC HEARINGS: NONE.

PETITIONS AND COMMUNICATIONS:

POLICE DEPARTMENT-BUDGET-DRUGS/SUBSTANCE ABUSE: The City Manager submitted a communication concurring in the following request of the Commonwealth's Attorney.

The Commonwealth's Attorney advised that in an effort to better fund law enforcement efforts to fight crime, particularly drug crime, in 1986, the Federal government adopted a system of asset forfeiture whereby forfeited assets, under certain conditions, could be returned to local law enforcement agencies, police and prosecutors for use in their fight against crime; in July, 1991, the Virginia asset forfeiture statute, which generally is patterned after the Federal statute, took effect, providing that forfeited criminal assets may be returned to local police and prosecutors for use in the fight against crime; immediately, assets seized as evidence are ordered forfeited by the local courts to the police or to the Office of Commonwealth's Attorney to be used for criminal law enforcement efforts; and in August, 1991, a grant fund account for cash assets forfeited to the Office of the Commonwealth's Attorney was established with an appropriation of \$25,000.00.

It was further advised that since August, 1991, the Office of the Commonwealth's Attorney has expended the \$25,000.00 originally appropriated, and periodically receives additional funds from the State's asset sharing program; grant requirements provide that funds must be placed in an interest bearing account and interest earned must be used in accordance with program guidelines; revenues collected through June 30, 2005, total \$211,254.00 and interest on the account collected through June 30, 2005, is \$18,899.00; funds received in excess of revenue estimate totals \$24,910.00; and funds must be appropriated before they can be expended for law enforcement purposes.

The Commonwealth's Attorney recommended that Council adopt an ordinance to increase the revenue estimates for Forfeited Criminal Assets, Account No. 035-150-5140-7107, and Forfeited Criminal Assets Interest, Account No. 035-150-5140-7275, in the amounts of \$22,999.00 and \$1,911.00 respectively, and appropriate funds to Forfeited Criminal Assets, Account No. 035-150-5140 in the Grant Fund.

Council Member Dowe offered the following budget ordinance:

(#37210-101705) AN ORDINANCE appropriating funds for the Forfeited Criminal Assets Grant, amending and reordaining certain sections of the 2005-2006 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 70, Page 17.)

Council Member Dowe moved the adoption of Ordinance No. 37210-101705. The motion was seconded by Vice-Mayor Fitzpatrick and adopted by the following vote:

AYES: Council Members Wishneff, Dowe, Fitzpatrick, Lea and Mayor Harris-----5.

NAYS: None -----0.

(Council Members Cutler and McDaniel were absent.)

BONDS/BOND ISSUES--HOSPITALS: A communication from Harwell M. Darby, Jr., Attorney, representing the Industrial Development Authority of the City of Roanoke, advising that the Authority has undertaken a large bond issue for Carilion Health System, in the amount of \$329,050,000.00, although the figure could vary between now and November 9, 2005, which is the scheduled closing date due to fluctuations in the financial markets, was before Council.

It was further advised that the purpose of the financing is to fund ongoing expansions at Community and Roanoke Memorial Hospitals, as well as to reconfigure and/or extend maturities on other outstanding indebtedness, some of which was used for hospitals located in the City of Bedford and the Counties of Montgomery, Giles and Franklin.

Council Member Dowe offered the following resolution:

(#37211-101705) A RESOLUTION of the City Council of the City of Roanoke, Virginia authorizing, among other things, the issuance of not to exceed \$450,000,000 aggregate principal amount of Industrial Development Authority of the City of Roanoke, Virginia Hospital Revenue Bonds (Carilion Health System Obligated Group) to the extent required by Section 147 of the Internal Revenue Code of 1986, as amended.

(For full text of resolution, see Resolution Book No. 70, Page 18.)

Council Member Dowe moved the adoption of Resolution No. 37211-101705. The motion was seconded by Vice-Mayor Fitzpatrick and adopted by the following vote:

AYES: Council Members Wishneff, Dowe, Fitzpatrick, Lea and Mayor Harris-----5.

NAYS: None -----0.

(Council Members Cutler and McDaniel were absent.)

REPORTS OF OFFICERS:

CITY MANAGER:

BRIEFINGS: None

ITEMS RECOMMENDED FOR ACTION:

POLICE DEPARTMENT-BUDGET: The City Manager submitted a communication advising that the U. S. Department of Health and Human Services awards grants for services in three-year cycles; the City of Roanoke has been selected as a grantee for the first year of a three-year funding cycle for the Runaway and Homeless Youth (RHY) program under provisions of the Runaway and Homeless Youth Act, in the amount of \$134,381.00; for the project period beginning September 30, 2005 through September 29, 2008; funds will be used to cover salary and fringe benefits of a Youth Counselor III, a Youth Counselor II, a Relief Counselor and related program activities in the Sanctuary Outreach program; and the required local match is offered as in-kind services.

It was further advised that the focus of the program is to alleviate the problems of runaways and homeless youth and their families, to strengthen family relationships and to encourage stable living conditions; early intervention of Sanctuary Outreach staff in a combination of shelter-based and home-based services offers runaway and homeless youth and their families supportive services that will decrease the incidence of repeat runaway episodes; and program services include 24 hour intake and referral access, temporary shelter, individual, group and family counseling, community service linkages, aftercare services, case disposition and recreation opportunities.

The City Manager recommended that Council adopt a resolution accepting \$134,381.00 in funding from the U. S. Department of Health and Human Services, Grant No. 03CY0459/1, for Sanctuary's Runaway and Homeless Youth Outreach program; that the City Manager be authorized to execute any other forms required by the Department of Health and Human Services in order to accept funds; and that Council adopt an ordinance to establish a revenue estimate in the amount of \$134,381.00 in the Grant Fund and appropriate funds in the same amount to expenditure accounts to be established by the Director of Finance.

Council Member Dowe offered the following budget ordinance:

(#37212-101705) AN ORDINANCE appropriating funds for the Runaway and Homeless Youth Act Grant, amending and reordaining certain sections of the 2005-2006 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 70, Page 21.)

Council Member Dowe moved the adoption of Ordinance No. 37212-101705. The motion was seconded by Vice-Mayor Fitzpatrick and adopted by the following vote:

AYES: Council Members Wishneff, Dowe, Fitzpatrick, Lea and Mayor Harris-----5.

NAYS: None -----0.

(Council Members Cutler and McDaniel were absent.)

Council Member Wishneff offered the following resolution:

(#37213-101705) A RESOLUTION authorizing the acceptance of a grant from the United States Department of Health and Human Services to be used for salary and fringe benefits of counselors and related activities in the Sanctuary Outreach Program; and authorizing the execution of the necessary documents.

(For full text of resolution, see Resolution Book No. 70, Page 22.)

Council Member Wishneff moved the adoption of Resolution No. 37213-101705. The motion was seconded by Council Member Lea and adopted by the following vote:

AYES: Council Members Wishneff, Dowe, Fitzpatrick, Lea and Mayor Harris-----5.

NAYS: None -----0.

(Council Members Cutler and McDaniel were absent.)

GRANTS-HAZARDOUS MATERIALS-FIFTH PLANNING DISTRICT COMMISSION:
The City Manager submitted a communication advising that the Disaster Mitigation Act of 2000 requires that local governments, as a condition of receiving Federal disaster mitigation funds, have in effect a mitigation plan that describes the process for identifying hazards, risks and vulnerabilities, identifies and prioritizes mitigation actions, encourages development of local mitigation and provides technical support for such efforts; the Roanoke Valley - Alleghany Regional Commission received a grant from the Virginia Department of Emergency Management (VDEM) to develop a regional predisaster mitigation plan that would meet requirements; in collaboration with staff from the localities, a final draft plan was completed which has been approved by the Federal Emergency Management Agency (FEMA) and VDEM; and each locality is requested to adopt the global portions of the plan, as well as the locality's specific section of the plan.

It was further advised that adoption of the plan does not require appropriation of City funds at this time, nor does it commit the City to completion of any specific projects; and the plan indicates that all goals are dependant on the availability of non local funding; however, should a specific project be undertaken requiring a local match to State or Federal funds, funding would be addressed at that time.

The City Manager recommended that Council adopt the Regional Predisaster Mitigation Plan as above referenced and that she be authorized to take such actions as may be needed to implement and administer the Plan.

Council Member Dowe offered the following resolution:

(#37214-101705) A RESOLUTION adopting a Regional Predisaster Mitigation Plan for communities that are members of the Roanoke Valley-Alleghany Regional Commission; and authorizing the City Manager to take such action as may be needed to implement and administer such Plan.

(For full text of resolution, see Resolution Book No. 70, Page 23.)

Council Member Dowe moved the adoption of Resolution No. 37214-101705. The motion was seconded by Vice-Mayor Fitzpatrick and adopted by the following vote:

AYES: Council Members Wishneff, Dowe, Fitzpatrick, Lea and Mayor Harris-----5.

NAYS: None -----0.

(Council Members Cutler and McDaniel were absent.)

BUDGET-CULTURAL SERVICES COMMITTEE-HUMAN SERVICES COMMITTEE:
The City Manager submitted a communication advising that after several months of discussion with both public and private organizations that are responsible for funding non-profit agencies on a regular basis, the following criteria have been developed for recommended adoption by Council as prerequisites for those organizations receiving funds from the City of Roanoke in future budget cycles:

1. Organizations must develop a business plan that includes evidence of community involvement and outlines long-term plans for financial sustainability.
2. Boards of organizations must demonstrate commitment to their organization by certifying that 100 per cent of their board members have made a financial commitment to the organization and that each board member has an annual average meeting attendance rate of at least 75 per cent.

3. Organizations must agree to an annual joint site visit by the City and Carilion Foundation, Roanoke County (Roanoke County was inadvertently included in the communication) and the Funders Circle if the organization receives funds from them, and must agree to file a semi-annual report with the City of results achieved through funds received.
4. Organizations in existence for two years or more with an annual budget of \$50,000.00 or more must perform an annual audit and provide a copy of same to the City.
5. Organizations adhering to these expectations and requirements will benefit through the use of a simplified application and reporting process, and a consolidated site visit.

It was further advised that the City of Roanoke will be joined in this approach by Carilion Foundation and the Funders Circle; other private foundations are also considering the use of the abovedescribed criteria in their funding process; and all past recipients of City funds will be informed of the new requirements upon adoption by Council.

The City Manager recommended that Council adopt a resolution approving the abovedescribed criteria and that the City Manager be authorized to disseminate information regarding the policy to non-profit providers of health and human services, as well as to arts and cultural organizations that have or are likely to apply to the City for funds.

Vice-Mayor Fitzpatrick offered the following resolution:

(#37215-101705) A RESOLUTION adopting a policy pertaining to funding for non-profit organizations in future budget cycles, and authorizing the City Manager to disseminate information about such policy.

(For full text of resolution, see Resolution Book No. 70, Page 24.)

Vice-Mayor Fitzpatrick moved the adoption of Resolution No. 37215-101705. The motion was seconded by Council Member Dowe.

Charles Harlow, Chair, Board of Directors, Blue Ridge Independent Living Center, advised that non-profit agencies should have received notice prior to adopting the proposed policy. He asked that action be deferred until the affected non-profit agencies have had an opportunity to review details of the proposed policy.

Joe Cobb, Executive Director, Inner Faith Hospitality Network, advised that the Inner Faith Hospitality Network receives emergency shelter grant funding which is administered through the City and funded by the City's Human Services Committee, the organization is monitored by both sources which has included an annual site visit; therefore, he inquired if the proposed new policy would apply to all non-profit organizations and whether the City would be willing to provide assistance to non-profit agencies with regard to preparation of a business plan. Lastly, he stated that the Inner Faith Hospitality Network has received funding in the past from the Carilion Foundation, the organization does not receive funds from Roanoke County or the Funders Circle; whereupon, he inquired to the level of involvement by Roanoke County and the Funders Circle.

In clarification, the City Manager advised that the Carilion Foundation, the City of Roanoke, and the Funders Circle, have agreed to support implementation of the proposed criteria and Roanoke County was inadvertently listed in the communication.

She stated that the intent of the criteria is two fold: to create greater accountability for those organizations seeking funds from the City and to assist organizations in devoting more time to thinking about current and future activities. She added that City staff would be available to train organizations with regard to creating business plans; and representatives of the City's Department of Management and Budget are currently assisting in a consortium effort to prepare a business plan for a particular program in the City that would transcend several organizations. She stated that the criteria requiring an audit is reasonable as it relates to an annual budget of \$50,000.00 or more, and several audit firms have previously indicated that \$50,000.00 or more is an appropriate threshold at which an audit should occur. She noted that criteria such as an annual audit, an annual site visit, ensuring that members of boards of organizations not only attend board meetings regularly, but also participate financially to the agency is an important demonstration of financial and physical commitment to the organization. She explained that it is anticipated that the criteria would be used for funds provided by the City whether they be general funds or funds such as the Community Development Block Grant program as previously referenced by the Inner Faith Hospitality Network, and a single site visit or review or a single central audit function or review would be conducted.

The City Manager advised that an advantage of the criteria to non-profit organizations will be a simplified application and reporting process. She stated that the policy is not onerous and is proposed for adoption at this time so that agencies will have sufficient time to prepare for the City's next budget cycle.

The Mayor concurred in the remarks of the City Manager that the proposed policy is not onerous, organizations will be given time to become familiar with or to make the necessary adjustments, and if a worthy organization needs to engage in dialogue with the City in order to meet certain of the criteria, the City will be flexible.

Vice-Mayor Fitzpatrick advised that many organizations seeking funds from the City do not have an established business plan, or a service model that would enable the City to learn more about the organization prior to investing taxpayers' dollars. He stated that it is important to establish a policy that is fair to everyone and to assist those organizations that need help in connection with preparing their business plan. He called attention to agencies that duplicate services and the proposed policy will lead to a better understanding of current services, who is being served, how well they are being served, and how non-profit agencies can do a better job across the board.

Council Member Lea inquired if non-profit agencies were advised of the proposed policy; whereupon, the City Manager advised that the criteria was not shared with the non-profit agencies, the proposed criteria is within the purview of either the City administration or the City Council; some time ago, the Mayor shared the proposed criteria with the Council prior to approaching the Funders Circle and the Carilion Foundation; and the proposed policy is no different than establishing a new policy with regard to how much or what percent of Community Development Block Grant program funding would be devoted to housing versus another activity. She stated that the proposed policy is a kind of prerequisite for agencies to apply for funding and as long as there is evidence that agencies are making an effort to comply, City staff will work with them; however, if an organization chose not to abide by the criteria, the Council should be advised accordingly. In summary, she advised that no effort was made to seek review of the criteria by non-profit organizations prior to submitting the item to Council for approval.

The City Manager explained that voting on the issue today gives non-profit agencies the maximum amount of time to begin preparing for the City's next budget cycle, and the proposed criteria does not affect funding previously authorized by the Council for the current fiscal year.

Council Member Wishneff inquired as to whether a copy of the proposed policy could be forwarded to all non-profit organizations that were funded by the City during the past fiscal year prior to adoption of the resolution.

Vice-Mayor Fitzpatrick advised that if the majority of Council is in favor of the proposed policy, the enabling resolution should be adopted with the understanding that City staff will meet with those non-profit agencies that need assistance in connection with preparation of their business plan and the policy will continue to be reviewed by City staff for any necessary revisions.

Council Member Dowe commended the proposed policy which is not intended to penalize any organization, but to help existing organizations. He stated that those organizations that are currently in compliance will not experience any problems with regard to the proposed new policy.

Council Member Wishneff offered a substitute motion that action on the resolution be tabled until the next regular meeting of Council on Monday, November 7, 2005, at 2:00 p.m., and that a copy of the proposed policy be forwarded to all non-profit agencies funded by the City of Roanoke during fiscal year 2005-2006. The motion was seconded by Council Member Lea.

The substitute motion to table the resolution was lost by the following vote:

AYES: Council Members Wishneff and Lea -----2.

NAYS: Council Member Dowe, Vice-Mayor Fitzpatrick and Mayor Harris-----3.

(Council Members Cutler and McDaniel were absent.)

The Mayor advised that inasmuch as the motion to table the resolution failed, the resolution was before the Council.

The City Manager advised that it would be necessary to amend the resolution to remove any references to Roanoke County.

Following discussion, it was the consensus of Council to remove all references to Roanoke County from the resolution.

Resolution No. 37215-101705, as amended, was adopted by the following vote:

AYES: Council Members Wishneff, Dowe, Fitzpatrick, Lea and Mayor Harris-----5.

NAYS: None -----0.

(Council Members Cutler and McDaniel were absent.)

CITY CODE-VETERANS AFFAIRS-CITY EMPLOYEES: The City Manager submitted a communication advising that the General Assembly amended Virginia Code Section 15.2-1509 with regard to preferences that local governments must give to veterans when making hiring or promotion decisions; changes to the State Code section broaden the preference that a local government must give a veteran when making personnel decisions; in response to the change in State law, Section 2-70, Veteran's Preference, Code of the City of Roanoke 1979, as amended, requires updating; it is the current practice of the City of Roanoke to extend preference to qualified veterans during the selection process for new hires as well as promotions; the proposed changes to Section 2-70 better conform to amendments made to the State Code, while preserving the City's current practice; and currently, veteran's preference applies only for jobs in which a test is given, while the proposal provides preference regardless of whether a test is given.

The City Manager recommended that Council approve amendment of the Code of the City of Roanoke 1979, as amended, to provide for the practice of veteran's preference in compliance with State law.

Vice-Mayor Fitzpatrick offered the following ordinance:

(#37216-101705) AN ORDINANCE amending Section 2-70, Veteran's Preference, Article IV, Personnel Management and Practices, of Chapter 2, Administration, Code of the City of Roanoke (1979), as amended, to conform with Section 2.2-2903 of the Code of Virginia (1950), as amended; and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 70, Page 25.)

Vice-Mayor Fitzpatrick moved the adoption of Ordinance No. 37216-101705. The motion was seconded by Council Member Dowe and adopted by the following vote:

AYES: Council Members Wishneff, Dowe, Fitzpatrick, Lea and Mayor Harris-----5.

NAYS: None -----0.

(Council Members Cutler and McDaniel were absent.)

TRAFFIC-STATE HIGHWAYS-TRANSPORTATION SAFETY-STREETS AND ALLEYS: The City Manager submitted a communication advising that an extension of Wonju Street between Colonial Avenue and Brandon Avenue was added to VDOT's Six-Year Improvement Plan in 1999; two conceptual alternatives have been considered since project initiation, but as right-of-way impacts and cost estimates for the alternatives increased over time, a third alternative, a Transportation Systems Management (TSM) Alternative, was suggested; and on October 3, 2005, VDOT held a Citizen Information Meeting on the proposed project to share alternatives and cost estimates with the public.

It was further advised that estimated costs for Alternatives 1 and 2 vary from \$18 – 21 million; alternatives would require significant right-of-way acquisition costs, representing approximately 70 per cent of the total project cost, and would likely take four to five years to implement; estimated costs for Alternative 3, the TSM Alternative, are expected to be between \$1 and \$2 million, will minimize right-of-way acquisition, and could be implemented within the next two years; the City's required two per cent match would apply to any of the three alternatives; and funding will be identified at a future time upon acceptance by VDOT of the project request.

It was explained that at the Citizen Information Meeting, 43 comment sheets were submitted; of the 43 comments, 21 preferred the TSM Alternative, eight preferred Alternative 1, six preferred Alternative 2, and remaining comments indicated either a preference for combinations of alternatives or did not indicate a preference.

It was stated that City staff supports Alternative 3, the TSM Alternative, for the following reasons:

- maximizes use of existing capacity on Brandon and Colonial Avenues,
- is projected to satisfy the traffic demand through the design year of 2030,
- requires minimal acquisition of right-of-way (right-of-way that, based upon preliminary conversations with the affected property owner, will be donated rather than purchased),
- minimizes construction cost,
- provides an immediate safety improvement through reducing the queue of vehicles on southbound Route 220,
- is expected to be advertised for construction in approximately 12 months,
- precludes consideration of a build alternative in the future should it become necessary, and
- enables unused funds to be programmed for Colonial Avenue improvements and other City needs as directed by Council.

The City Manager recommended that Council adopt a resolution in support of Alternative 3, the Transportation System Management alternative, and request that VDOT advance the project to the construction phase.

Vice-Mayor Fitzpatrick offered the following resolution:

(#37217-101705) A RESOLUTION expressing the support of the Council of the City of Roanoke to the Virginia Department of Transportation ("VDOT") of Alternative 3, a Transportation Systems Management (TSM) Alternative, for the extension of Wonju Street between Colonial Avenue and Brandon Avenue.

(For full text of resolution, see Resolution Book No. 70, Page 26.)

Vice-Mayor Fitzpatrick moved the adoption of Resolution No. 37217-101705. The motion was seconded by Council Member Dowe.

Mr. Sherman Banford, 2423 Winthrop Avenue, S. W., advised that he is generally in favor of Alternative No. 3 which solves a serious traffic problem on Wonju Street, Colonial Avenue and 23rd Street, and offers the least disturbance to businesses, residences, churches, and neighborhoods in the surrounding areas. He expressed concern with regard to the potential for motorists to use 26th Street and Winthrop Avenue as a shortcut if the left turn to 23rd is blocked, which is currently happening to some degree with the existing traffic configuration. He expressed further concern that a much larger volume of traffic will flow down 26th Street and Winthrop Avenue and traffic will flow at higher speeds, which will defeat the purpose of the proposed traffic system management alternative, because motorists will bypass the no left turn. He called attention to a concern regarding an existing steep grade on 26th Street up to Colonial Avenue and there is an existing traffic hazard when exiting on 26th Street onto Colonial Avenue. He referred to a large apartment complex located behind Towers Shopping Mall and inquired if the proposed changes would lead to increased traffic on Winthrop Avenue. He stated that the City and VDOT should have a clear understanding of what will happen with regard to the overall project and streets adjacent to the roads where changes are proposed to occur. He advised that the first public meeting with regard to the Central Roanoke Mobility Study will be held on October 17, 2005, and inquired if the Wonju Street and Colonial Avenue alternative is an interim proposal that will be followed by further traffic changes.

Vice-Mayor Fitzpatrick advised that when two lanes turn left from what is essentially Route 220 onto Colonial Avenue, two straight lanes go through the Wonju Street intersection and suddenly merge back to one lane, therefore, there is a need to address two lanes, southbound, to Overland Road, which could mean that there may not be any bike lanes. He stated that the meeting on October 17 will focus on the study regarding the I-581/Route 220 corridor/ Elm Avenue and is not specific to Wonju Street/Colonial Avenue.

Council Member Wishneff requested a clarification that Alternative 3, would eliminate the left turn onto 23rd Street.

The City Manager affirmed that Alternative 3 eliminates the left turn onto 23rd Street. She stated that the last official day for public comment on the alternatives was Friday, October 13, 2005; a total of 53 comments were received of which 26 preferred TSM or Alternate No. 3, eight preferred Alternate No. 1, six preferred Alternate No. 2, and 13 indicated either a preference for a combination of the alternatives or did not indicate a preference, therefore, approximately one-half of those persons who commented stated a preference for Alternate No. 3. She added that not only is Alternate No. 3 less expensive and can be implemented more quickly, but should Alternate No. 3 not be successful, improvements would not have been made that cannot be used in conjunction with a subsequent alternative choice.

The City Manager commended Mr. Banford for a thoughtful and well prepared e-mail which was forwarded to the City's Traffic Engineering Department. She assured Mr. Banford and others that the City of Roanoke takes their comments with regard to other potential impacts for the laneing of Colonial Avenue and the possible traffic impact on Winthrop Avenue seriously and will review the suggestions regardless of which alternative the Council endorses.

Council Member Wishneff advised that he could not support eliminating the left turn onto 23rd Street, primarily because he did not have sufficient information on which to base his decision.

The City Manager responded that the reason for the dual left turn lanes at Colonial and Brandon Avenues is to expedite additional traffic movement onto Brandon Avenue. She stated that there would be no point in making the dual left turn change if the left turn onto 23rd Street were not eliminated.

Upon question, the City Manager explained that Alternatives Nos. 1 and 2 would cost \$18-\$21 million and Alternate No. 3 would cost between \$1-\$2 million and could be implemented within the next 12 months; Alternatives Nos. 1 and 2 would require a number of years to accumulate sufficient funds, involve considerable right-of-way acquisition, and a loss of some properties that are currently a part of the City's tax base; and Alternate No. 3 does not eliminate the opportunity, if necessary, to revert to Alternate Nos. 1 or 2, because improvements are such that they could remain in place.

The Mayor advised that the owner of Towers Shopping Mall and Mall tenants were engaged in the process, and the City Manager advised that the owner of Towers Shopping Mall has offered a right-of-way free of charge, if necessary, to accommodate Alternative No. 3.

There being no further discussion, Resolution No. 37217-101705 was adopted by the following vote;

AYES: Council Members Dowe, Fitzpatrick, Lea and Mayor Harris -----4.

NAYS: Council Member Wishneff -----

1.

(Council Members Cutler and McDaniel were absent.)

PURCHASE/SALE OF PROPERTY-BUDGET: The City Manager submitted a communication advising that in May 2005, Council authorized purchase of the approximately 140 acre Countryside Golf Course for \$4.1 million and an option to purchase the property was entered into, with a deposit in the amount of \$125,000.00 which provided time for further staff analysis to determine whether the property should be acquired by the City for further development; in the event that the property was purchased, the option amount would apply to the purchase price; in June 2005, Council authorized issuance of general obligation public improvement bonds in the amount of \$3,975,000.00 to fund a portion of the project, and the bonds will be issued in late calendar year 2005 if the City elects to proceed with purchase of the property.

It was further advised that since receiving authorization, staff has conducted the required due diligence, including completion of a survey and environmental studies, and has negotiated a management agreement with Meadowbrook Golf Group, Inc., for continued operation of the facility as a golf course for one year after purchase.

It was explained that the management agreement provides for the Meadowbrook Golf Group, Inc., to be responsible for operation and maintenance of the facility in a manner consistent with current operation; all expenses for operating the golf course will be the responsibility of the operator, and the operator will collect all income generated from use of the facility by the general public; and the operator will pay a management fee of \$35,000.00 to the City for the one year term of the operating agreement.

It was advised that the option agreement which was previously authorized by Council requires notification to the seller by October 28, 2005, with closing to occur no later than November 30, 2005; in order to proceed with the notification and closing process, action is required by Council to appropriate the balance of funds necessary for purchase of the property; funds totaling \$4,006,000.00 are needed for property acquisition and other costs associated with closing, with \$3,975,000.00 to be provided from the sale of the 2005 general obligation public improvement bonds; and funding of \$31,000.00 is available in the existing project account for remaining expenses.

The City Manager recommended that she be authorized to execute the Operating Agreement with Meadowbrook Golf Group, Inc., on behalf of the City of Roanoke in a form to be approved by the City Attorney; and that Council appropriate \$3,975,000.00 in advance of issuance of the 2005 general obligation bonds to Account No. 008-310-9840, Countryside Golf Course acquisition.

Vice-Mayor Fitzpatrick offered the following budget ordinance:

(#37218-101705) AN ORDINANCE to appropriate funding to be provided by the Series 2005 Bonds to purchase Countryside Golf Course, amending and reordaining certain sections of the 2005-2006 Capital Projects Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 70, Page 27.)

Vice-Mayor Fitzpatrick moved the adoption of Ordinance No. 37218-101705. The motion was seconded by Council Member Dowe.

Mr. Robert E. Gravely, 729 27th Street, N. W., expressed concern with regard to the renovation of houses on Day Avenue, S. W., by the Roanoke Redevelopment and Housing Authority which are appraised at \$38,000.00-\$50,000.00 and the RRHA plans to sell the houses for \$265,000.00. He also referred to vacant houses on Madison Avenue, N. W., that sell for \$124,000.00, while the average home in the neighborhood sells for \$40,000.00-\$50,000.00. He stated that any person who can afford to purchase a house in the price range of \$125,000.00-\$265,000.00 will not choose to live in the Day Avenue and Madison Avenue areas of the City.

There being no further discussion, Ordinance No. 37218-101705 was adopted by the following vote:

AYES: Council Members Wishneff, Dowe, Fitzpatrick, Lea and Mayor Harris-----5.

NAYS: None -----0.

(Council Members Cutler and McDaniel were absent.)

Vice-Mayor Fitzpatrick offered the following ordinance:

(#37219-101705) AN ORDINANCE authorizing execution of an Operating Agreement for Countryside Golf Course ("Operating Agreement"), between the City of Roanoke and Meadowbrook Golf Group, Inc., upon certain terms and conditions, as contemplated in the Operating Agreement; and dispensing with the second reading by title paragraph of this ordinance.

(For full text of ordinance, see Ordinance Book No. 70, Page 28.)

Vice-Mayor Fitzpatrick moved the adoption of Ordinance No. 37219-101705. The motion was seconded by Council Member Dowe and adopted by the following vote:

AYES: Council Members Wishneff, Dowe, Fitzpatrick, Lea and Mayor Harris-----5.

NAYS: None -----0.

(Council Members Cutler and McDaniel were absent.)

CITY ATTORNEY:

ZONING: The City Attorney submitted a written report advising that on June 1, 2005, Roanoke Investments Associated, Inc., represented by Eugene M. Elliott, Jr., Attorney, filed a petition to change conditional proffers attaching to Official Tax No. 2660519; at the time of filing, the property was zoned LM, Light Manufacturing District, subject to certain proffered conditions; on July 21, 2005, the City Planning Commission recommended, by a 7-0 vote, that the revised proffers proposed by the applicant be approved; and a Second Amended Petition setting forth the revised proffers made by the applicant, was filed on July 27, 2005.

It was further advised that at a public hearing on August 15, 2005, Council adopted Ordinance No. 37157-081505 by a vote of 6-0, which approved the petition as requested by the applicant and as recommended by the Planning Commission; there was no opposition to the matter either at the public hearing before the Planning Commission, or at the public hearing before Council; however, the ordinance prepared by the City Attorney's Office did not reference the correct date of filing of the Second Amended Petition; therefore, an ordinance has been prepared, which, if adopted by Council, repeals Ordinance No. 37157-081505, and references the correct date of filing of the Second Amended Petition and adopts the proffers filed which were on that date requested.

Vice-Mayor Fitzpatrick offered the following ordinance:

(#37220-101705) AN ORDINANCE to amend §36.1-3 and 36.1-4, Code of the City of Roanoke (1979), as amended, and Sheet No. 266, Sectional 1976 Zone Map, City of Roanoke, by amending the conditions presently binding upon certain property previously conditionally zoned LM, Light Manufacturing District; repealing Ordinance No. 37157-081505; and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 70, Page 29.)

Vice-Mayor Fitzpatrick moved the adoption of Ordinance No. 37220-101705. The motion was seconded by Council Member Dowe and adopted by the following vote:

AYES: Council Members Wishneff, Dowe, Fitzpatrick, Lea and Mayor Harris-----5.

NAYS: None -----0.

(Council Members Cutler and McDaniel were absent.)

DIRECTOR OF FINANCE:

TAXES: The Director of Finance submitted a written report advising that in 1998, the General Assembly enacted the Personal Property Tax Relief Act (PPTRA or the Act), which provided relief from personal property taxes otherwise payable on the first \$20,000.00 of value for qualifying vehicles; the relief was provided for vehicles owned by individuals and utilized for personal use; additionally, vehicles with an assessed value of \$1,000.00, or less, receive 100 per cent relief; relief is provided by the Commonwealth of Virginia through payments to localities of amounts which would otherwise be taxed to citizens; the original intent of the Act was to phase-in tax relief such that the Commonwealth would ultimately cover the full cost of personal property tax of the eligible vehicles; the Commonwealth's plan of implementing the tax was dependent upon growth in State revenues sufficient to cover the increasing annual cost; currently, the Commonwealth provides 70 per cent relief on qualifying vehicles; and the amount of relief provided by the Commonwealth has been at this level for several years.

It was further advised that in 2004 and 2005, additional legislation was passed to amend the original Act; such legislation capped PPTRA at \$950 million for all Virginia localities for tax years 2006 and beyond; PPTRA funds will be allocated to individual localities based on each government's pro rata share of tax year 2004 payments from the Commonwealth of Virginia; funding for delinquencies of current and past years will continue until September 2006, or until the funding for such is exhausted; legislation also altered the timing of payments from the Commonwealth of Virginia to localities, the impact of which is dependent on the due date observed by the locality; and for spring billers like Roanoke, the impact is the delay of approximately two months in receipt of the majority of funding provided by the Commonwealth.

The Director of Finance explained that localities have certain options on how to administer amended PPTRA; options include the method for apportioning relief to individual taxpayers, flexibility in determining the distribution of relief, and an option to "balance bill" delinquent taxpayers at the end of the current program; to determine the best course of action for the City of Roanoke, a Study Team was formed consisting of representatives from the Offices of the Commissioner of the Revenue, Treasurer, City Attorney, and the Department of Finance; and through the course of its work on the PPTRA revisions, the Study Team consulted with representatives from other localities throughout the State, most notably those from neighboring jurisdictions.

It was stated that two relief methods are available regarding distribution of tax relief; i.e.: the reduced rate method and the specific relief method; the reduced rate method would entail major changes to administration of the tax including the use of multiple tax rates, one of which would require an annual modification by Council; this method would bring about more significant changes to citizens and would be more costly to implement than the specific relief method; the specific relief method, which the Study Team recommends calls for a percentage of relief to be applied to qualifying vehicles, similar to the method currently used; while the percentage of relief will decline annually assuming growth in the assessed value of personal property, the tax payer will receive a personal property bill which is most consistent with the type of bill currently utilized; and the specific relief method is fairly efficient and effective to implement since it uses a tax method most consistent with the method currently in place.

It was explained that localities also have an option as to how they choose to distribute tax relief once the new program is in place; relief must be provided for owners of qualifying vehicles of \$20,000.00 and less, but changes can be made on how relief is provided for values up to \$20,000.00; in order to maintain consistency with the current PPTRA, the Study Team recommends that relief continue to be applied in a similar manner to the present method; i.e.: vehicles valued at \$1,000.00 and less will continue to remain fully exempt and relief for vehicles with assessed values ranging from \$1,001.00 to \$20,000.00 will continue to be taxed by applying a single common percentage to determine the amount to be paid by the taxpayer.

It was advised that the final option for localities concerns the ability to balance-bill delinquent taxpayers in full for personal property taxes not remitted by the September 2006 deadline or the exhaustion of State funding for the current program; this option is available to ensure the opportunity for localities to receive funds from citizens that may have otherwise been paid by the Commonwealth of Virginia; and to maximize collection of the tax, the Study Team recommends that the City of Roanoke balance-bill any citizens with unpaid taxes once funding from the Commonwealth is exhausted.

The Director of Finance pointed out that recommendations provided by the Study Team and outlined above maintain provisions of the PPTRA most closely with those originally implemented by the Commonwealth of Virginia, are the most equitable for Roanoke's citizens, are the most efficient and cost-effective for the City to implement, and are consistent with those planned by the majority of other localities in Virginia.

The Director of Finance recommended that Council adopt an ordinance to provide for implementation of 2004-2005 changes to the Personal Property Tax Relief Act as recommended, including adoption of the specific dollar amount relief method, allocating 100 per cent relief to vehicles with an assessed value of \$1,000.00 and less, and balance billing of delinquencies upon completion of the current PPTRA program.

Vice-Mayor Fitzpatrick offered the following ordinance:

(#37221-101705) AN ORDINANCE to provide for the implementation of the 2004-2005 changes to the Personal Property Tax Relief Act of 1998; and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 70, Page 31.)

Vice-Mayor Fitzpatrick moved the adoption of Ordinance No. 37221-101705. The motion was seconded by Council Member Dowe.

The Director of Finance further elaborated that the recommendations included in the report do not change the City's tax rate for personal property or the City's vehicle decal rate. He stated that even though the State allows localities a fair amount of latitude on how to implement changes, the City's work group elected to recommend that Council leave the program intact, to the extent possible, as currently administered by the State which is believed to be the most equitable method for Roanoke's citizens and provides the greatest amount of relief to lower value vehicles.

Ordinance No. 37221-101705 was adopted by the following vote:

AYES: Council Members Wishneff, Dowe, Fitzpatrick, Lea and Mayor Harris-----5.

NAYS: None -----0.

(Council Members Cutler and McDaniel were absent.)

REPORTS OF COMMITTEES:

BUDGET-SCHOOLS: A report of the Roanoke City School Board requesting that Council appropriate the following funds, was before the body.

- \$89,125.00 for the Supplementary Technology Grant to help school divisions implement the statewide Standards of Learning assessment system and to purchase assistive technologies for the classroom; funds can be used to purchase new scientific and graphing calculators, repair non-functioning calculators, or to purchase calculator batteries; and the new program is 100 per cent reimbursed by Federal funds.
- \$412,636.00 for the Westside renovation project; the additional monies from 1999 Capital Bond Funds and Capital Reserve Funds will provide funds for change orders for the project.
- \$1,300,000.00 from the 2005-2006 Capital Maintenance and Equipment Replacement Fund to fund textbooks, instructional technology requests, replacement of school bus and maintenance vehicles, replacement of district-wide facility maintenance equipment, and roof repairs.

A report of the Director of Finance recommending that Council concur in the request of the School Board was also before the body.

Vice-Mayor Fitzpatrick offered the following ordinance:

(#37222-101705) AN ORDINANCE to appropriate funding for the 2005 Supplementary Technology Grant, 2005-06 Capital Maintenance and Equipment Replacement Program, and Westside Renovation Project, amending and reordaining certain sections of the 2005-2006 General, School, and School Capital Fund Appropriations and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 70, Page 33.)

Vice-Mayor Fitzpatrick moved the adoption of Ordinance No. 37222-101705. The motion was seconded by Council Member Dowe and adopted by the following vote:

AYES: Council Members Wishneff, Dowe, Fitzpatrick, Lea and Mayor Harris-----5.

NAYS: None -----0.

(Council Members Cutler and McDaniel were absent.)

UNFINISHED BUSINESS: NONE.

INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.

MOTIONS AND MISCELLANEOUS BUSINESS:

INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF COUNCIL:

POLICE DEPARTMENT: Council Member Lea congratulated Council Member Wishneff on the marriage of his son on Saturday, October 15, 2005, in Washington, D. C.

Council Member Lea advised that the first meeting of the domestic violence discussion group was held on September 30, 2005, and included attendance by representatives of City Council, the City Manager's Office, the City Manager, the Assistant City Manager for Community Development, the Police Department, and other professionals who work in the domestic violence field. He stated that the group has been meeting on a weekly basis and is currently planning a community forum on domestic violence to be held on November 29, 2005, from 6:00 p.m.-8:00 p.m., at the Roanoke Civic Center; the community forum will begin with a panel discussion, including representatives of law enforcement, victims advocacy groups, the Commonwealth's Attorney's Office, and medical services for victims; and the panel discussion will be followed by a round table discussion encouraging persons to speak out about issues they face or see in the community regarding domestic violence. He explained that the community forum is designed to educate citizens on services that are currently available to address domestic violence and to further enhance an understanding of the issues facing victims of domestic violence; and following the community forum, a task force will be appointed to address issues brought forth by victims, friends and families affected by domestic violence.

POLICE DEPARTMENT–SEGREGATION/INTEGRATION–NEWSPAPERS: Council Member Wishneff called attention to national news coverage with regard to riots that erupted in Toledo, Ohio, over a planned march by a white supremacist group whose spokesperson was identified as William White, a resident of Roanoke, Virginia. He stated that he is of Jewish descent and has lived in the Roanoke Valley for over 20 years and would like for the public to know that the behavior exhibited by the group is not representative of the citizens of the Roanoke area. He volunteered to participate in a discussion group to review actions, if any, that could be taken by the City to address the issue.

The Mayor advised that over the past several weeks he has received telephone calls by news media from outside of the Roanoke area to respond to actions, attitudes, and website material prepared by Mr. William White, and he has assured the news media that the contents on the website and the kind of attitude that is promoted are repugnant and appalling and are not reflective of the City of Roanoke. He stated that he shared the sentiment expressed by Council Member Wishneff; however, the Council can only respond legally to incidents, etc., that occur within the City of Roanoke.

Vice-Mayor Fitzpatrick expressed appreciation to Council Member Wishneff for his remarks and advised that few citizens have suffered in the same ways as the African-American and Jewish populations. He expressed concern that the name of the Roanoke community was used in a repugnant manner and suggested that a communication under the signature of the Mayor of the City of Roanoke be forwarded to the Mayor of the City of Toledo, Ohio, advising the citizens of Toledo that Mr. William White does not represent the City of Roanoke.

Council Member Dowe concurred in the remarks of Mr. Wishneff and Mayor Harris. He stated that for the safety of citizens who attend City Council meetings, City staff and Members of Council, he would be in favor of providing security in the City Council Chamber, beginning as early as the 7:00 p.m., Council session this evening.

ACTS OF ACKNOWLEDGEMENT–TOTAL ACTION AGAINST POVERTY: Council Member Dowe advised that the Discovery Shop, which benefits the American Cancer Society by selling gently used clothing, celebrated its 10th Anniversary on Wednesday, October 12, 2005; and Total Action Against Poverty celebrated its 40th anniversary at a luncheon which was held earlier in the day. He congratulated both organizations on the occasion of their anniversary celebrations.

HEARING OF CITIZENS UPON PUBLIC MATTERS: The Mayor advised that Council sets this time as a priority for citizens to be heard and matters requiring referral to the City Manager will be referred immediately for response, recommendation or report to Council.

RNDC-HENRY STREET REVIVAL COMMITTEE: Daniel Hale, President, Roanoke Chapter, N.A.A.C.P., advised that upon recommendation of the Executive Committee, the Roanoke Branch N.A.A.C.P. unanimously voted to support the Henry Street Development Project proposed by the Roanoke Neighborhood Development Corporation (RNDC). He stated that the RNDC presented a proposal to the Roanoke Branch, N.A.A.C.P., for development of First Street/Henry Street that would include a business office to house the Social Security Administration Office; and the proposal was also endorsed by the City of Roanoke and the Roanoke Redevelopment and Housing Authority. He further stated that anticipated results of the Plan would provide an infusion of funds to complete the entire Henry Street project; and the other viable option is a proposed office building to serve the community as a monument to the history of medicine in the Roanoke Valley. He advised that Henry Street is a project that is long past due insofar as its completion; after considering all information presented, the Roanoke Branch of the N.A.A.C.P. is of the opinion that the opportunity to have ownership in the project is too important to neglect and it is hoped that the entire City of Roanoke will support the proposed by the RNDC.

POLICE DEPARTMENT-COMPLAINTS: Mr. Shaheed Omar, 1219 Loudon Avenue, N. W., expressed concern with regard to the amount of news coverage that the incident in Toledo, Ohio, received by local television stations and the local newspaper, and advised that the level of attention by the news media gave validation to the incident (See page 316).

Mr. Omar spoke with regard to the citizen complaint process administered by the Police Department. He referred specifically to a form that must be completed by a citizen when filing a complaint that is available only at the Police Department, and suggested that the form should also be available in other City departments. He expressed concern with regard to composition of the Citizen Review Board; and the fact that the Chief of Police has the authority to make the final decision after a complaint has been investigated which places a lot of power in one individual. He asked that his concerns be included on a City Council agenda for public comment.

Council Member Lea requested information with regard to composition of the Citizen Review Board.

CITY COUNCIL: Ms. Evelyn D. Bethel, 35 Patton Avenue, N. E., spoke with regard to actions that are taken behind closed doors which are administered unfairly and without respect or compassion for City employees and/or the citizens of Roanoke. She asked that Council serve as an example of how collective individual traits of strong moral character, exhibited by responsibility, respect, caring, trustworthiness, fairness and citizenship can be applied to a municipality.

She advised that especially during these times local, national and world crisis, Council is challenged to display strong morale character by not saying one thing to Roanoke's citizens and following through with the opposite.

ARMORY/STADIUM: Mr. Jim Fields, 17 Ridgecrest Road, Hardy, Virginia, concurred in the remarks of Ms. Bethel.

He spoke in support of the renovation of Victory Stadium and advised that in accordance with the agreement between the City of Roanoke and Norfolk and Western Railway, the City is responsible for the maintenance of Victory Stadium. He stated that restroom facilities need to be repaired and another gate should be opened, and Victory Stadium should be protected and preserved as a monument to those persons from the Roanoke Valley who served their country during World War II. He added that if the stadium were properly promoted it could generate tax revenues for the City of Roanoke.

COMPLAINTS-TAXES-CITY EMPLOYEES: Mr. Robert E. Gravely, 727 29th Street, N. W., advised that wages paid to City employees have not kept up with wages paid to State employees; and with current wages, the average City employee cannot afford to purchase a home. He expressed concern that taxpayers' dollars are spent to support businesses and/or projects that are of little value to the average citizen.

CITY MANAGER COMMENTS:

FIRE DEPARTMENT: The City Manager advised that the City of Roanoke rendered assistance to Johnson's Bayou, Louisiana, as a result of Hurricane Rita through deployment of six firefighters. In addition to providing strategic planning and over sight at a fire station, Roanoke's firefighters received a call that a truck was on fire and when arriving at the scene of the fire, it was discovered that the truck was owned by a Roanoke electrical company that had gone to Louisiana to help restore electricity. She stated that Roanoke firefighters responding to a fire call involving a Roanoke truck in Johnson's Bayou, Louisiana, indicates that it is indeed a small world.

ACTS OF ACKNOWLEDGEMENT-CITY MANAGER: On behalf of the City of Roanoke, the City Manager advised that she accepted an award at a recent conference of the International City Management Association for populations of 50,000 and over under the category of Innovations in Local Government Management, in recognition of Roanoke's program on "Managing the Rising Cost of Health Care".

She stated that the City of Roanoke competed with cities such as San Antonio, Texas, Clark County, Nevada, Aurora, Colorado, Sarasota County, Florida, Reno, Nevada, Montgomery County, Maryland, and Sunnyvale, California, all of which are considerably larger than Roanoke.

PURCHASE/SALE OF PROPERTY-HOUSING/AUTHORITY: The City Manager advised that October 17, 2005, was a "red letter" day for the City of Roanoke. She called attention to the ground breaking for the Colonial Green project which will include 230 housing units and represents the first time that City land has been made available in order to facilitate more housing in the community. Additionally, she pointed out that Council previously approved purchase of the Countryside Golf Course property which is another example of the City's efforts to look long term to the future and the need to continue to find ways to enhance, grow and sustain the community.

At 4:15 p.m., the Mayor declared the Council meeting in recess for three Closed Sessions.

At 5:35 p.m., the Council meeting reconvened in the City Council Chamber, with all Members of the Council in attendance, except Council Members Cutler and McDaniel, Mayor Harris presiding.

COUNCIL: With respect to the Closed Meeting just concluded, Vice-Mayor Fitzpatrick moved that each Member of City Council certify to the best of his or her knowledge that: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion was seconded by Council Member Dowe and adopted by the following vote:

AYES: Council Members Wishneff, Dowe, Fitzpatrick, Lea and Mayor Harris-----5.

NAYS: None -----0.

(Council Members Cutler and McDaniel were absent.)

INDUSTRIES-VIRGINIA'S FIRST REGIONAL INDUSTRIAL FACILITY AUTHORITY: The Mayor advised that there is a vacancy on Virginia's First Regional Industrial Facility Authority, created by the resignation of Elizabeth Neu; whereupon, he opened the floor for nominations.

Vice-Mayor Fitzpatrick placed in nomination the name of R. Brian Townsend, Director, Planning, Building and Economic Development.

There being no further nominations, Mr. Townsend was appointed as a City representative to Virginia's First Regional Industrial Facility Authority, to fill the unexpired term of Elizabeth Neu, ending June 30, 2006, by the following vote:

FOR MR. TOWNSEND: Council Members Wishneff, Dowe, Fitzpatrick, Lea and Mayor Harris -----5.

(Council Members Cutler and McDaniel were absent.)

RAILSIDE LINEAR WALK: Vice-Mayor Fitzpatrick offered the following resolution:

(#37223-101705) A RESOLUTION renaming the O. Winston Link Railwalk as the David R. and Susan S. Goode Railwalk.

(For full text of resolution, see Resolution Book No. 70, Page 35.)

Vice-Mayor Fitzpatrick moved the adoption of Resolution No. 37223-101705. The motion was seconded by Council Member Wishneff and adopted by the following vote:

AYES: Council Members Wishneff, Dowe, Fitzpatrick, Lea and Mayor Harris-----5.

NAYS: None -----0.

(Council Members Cutler and McDaniel were absent.)

At 5:40 p.m., the Mayor declared the Council meeting in recess to be reconvened at 7:00 p.m., in the City Council Chamber, Room 450, Noel C. Taylor Municipal Building.

At 7:00 p.m., on Monday, October 17, 2005, the Council meeting reconvened in the City Council Chamber, Room 450, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Mayor C. Nelson Harris presiding.

PRESENT: Council Members Brian J. Wishneff, Alfred T. Dowe, Jr., Beverly T. Fitzpatrick, Jr., Sherman P. Lea and Mayor C. Nelson Harris -----5.

ABSENT: Council Members M. Rupert Cutler and Brenda L. McDaniel-----2.

The Mayor declared the existence of a quorum.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

The invocation was delivered by Council Member Alfred T. Dowe, Jr.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Harris.

PRESENTATIONS AND ACKNOWLEDGEMENTS:

HUMAN DEVELOPMENT-ACTS OF ACKNOWLEDGEMENT: Council Member Dowe offered the following resolution memorializing the late F. Wiley Hubbell, a long-time resident of the City of Roanoke and 1996 Citizen of the Year:

(#37209-101705) A RESOLUTION memorializing the late F. Wiley Hubbell, a long-time resident of the City of Roanoke and Citizen of the Year in 1996.

(For full text of resolution, see Resolution Book No. 70, Page 15.)

Council Member Dowe moved the adoption of Resolution No. 37209-101705. The motion was seconded by Vice-Mayor Fitzpatrick and adopted by the following vote:

AYES: Council Members Wishneff, Dowe, Fitzpatrick, Lea and Mayor Harris-----5.

NAYS: None -----0.

(Council Members Cutler and McDaniel were absent.)

The Mayor presented a ceremonial copy of Resolution No. 37209-101705 to Stuart Hubbell and Christopher Hubbell, sons, and called for a moment of silence in memory of Mr. Hubbell.

PUBLIC HEARINGS:

ROANOKE VISION, COMPREHENSIVE DEVELOPMENT PLAN: Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Monday, October 17, 2005, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a proposal of the City of Roanoke to amend Vision 2001-2020, the City's Comprehensive Plan, to include the Peters Creek South Neighborhood Plan, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Friday, October 7, 2005.

The City Planning Commission submitted a written report advising that the Peters Creek South Neighborhood Plan identifies three high priority initiatives:

- **Housing Development & Conservation:** Promote rehabilitation, maintenance, well-designed infill development, and increased resident ownership; zoning patterns should protect and maintain established residential areas.
- **Capacity Building:** Peters Creek South residents are willing participants in determining the future of their neighborhood; neighborhood-based organizations will be crucial to initiating and sustaining revitalization efforts; the many groups and individuals working toward Peters Creek South revitalization should collaborate to ensure open communication and awareness of development projects.
- **Infrastructure:** Peters Creek South should have safe, well-designed streets and other infrastructure; traffic management and street design must be evaluated and improved to ensure compatibility with the neighborhood setting.

It was further advised that the Neighborhood Plan also includes a future land use map to guide development and zoning patterns in the neighborhood.

The City Planning Commission recommended that Council adopt the Peters Creek South Neighborhood Plan as a component of the Vision 2001–2020 Comprehensive Plan.

Council Member Dowe offered the following ordinance:

(#37224–101705) AN ORDINANCE approving the Peters Creek South Neighborhood Plan, and amending Vision 2001–2020, the City’s Comprehensive Plan, to include the Peters Creek South Neighborhood Plan; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 70, Page 36.)

Council Member Dowe moved the adoption of Ordinance No. 37224–101705. The motion was seconded by Vice-Mayor Fitzpatrick.

The Mayor inquired if there were persons present who would like to speak in connection with the Peters Creek South Neighborhood Plan. There being none, he declared the public hearing closed.

There being no questions or comments by Council Members, Ordinance No. 37224-101705 was adopted by the following vote:

AYES: Council Members Wishneff, Dowe, Fitzpatrick, Lea and Mayor Harris-----5.

NAYS: None -----0.

(Council Members Cutler and McDaniel were absent.)

ROANOKE GAS COMPANY-EASEMENTS: Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Monday, October 17, 2005, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the conveyance of an easement across City-owned property identified as Official Tax No. 1012103, located on Luck Avenue, S. W., the site of the Commonwealth Building, to Roanoke Gas Company for installation of a new regulator station, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Friday, October 7, 2005.

The City Manager submitted a communication advising that Roanoke Gas Company has requested an approximate 10'x 80' easement across City-owned property identified as Official Tax No. 1012103, on the Luck Avenue side of the Commonwealth Building; the easement is needed to install a new regulator station to replace an existing vault that is often flooded with runoff; Roanoke Gas Company has agreed to enclose the regulators in a utility cabinet to improve the appearance; and a temporary 40' X 80' easement is also needed for construction, which will expire upon completion of the work.

The City Manager recommended that she be authorized to execute the appropriate documents granting a utility easement as above described to Roanoke Gas Company, subject to approval as to form by the City Attorney.

Vice-Mayor Fitzpatrick offered the following ordinance:

(#37225-101705) AN ORDINANCE authorizing the donation and conveyance of a ten foot by eighty foot easement and a forty foot by eighty foot temporary easement on City-owned property identified by Official Tax No. 1012103, on the Luck Avenue side of the Commonwealth Building, to Roanoke Gas Company, to install a new regulator station to replace an existing vault that is often flooded with runoff, upon certain terms and conditions; and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 70, Page 37.)

Vice-Mayor Fitzpatrick moved the adoption of Ordinance No. 37225-101705. The motion was seconded by Council Member Dowe.

The Mayor inquired if there were persons present who would like to speak in connection with the request for easement. There being none, he declared the public hearing closed.

There being no questions or comments by Council Members, Ordinance No. 37225-101705 was adopted by the following vote:

AYES: Council Members Wishneff, Dowe, Fitzpatrick, Lea and Mayor Harris-----5.

NAYS: None -----0.

(Council Members Cutler and McDaniel were absent.)

TEA-21 PROJECTS-GREENWAYS-STATE HIGHWAYS: Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Monday, October 17, 2005, at 7:00 p.m., or as soon thereafter as the matter may be heard, on consideration of previously received applications for Federal funds made available through the Department of Transportation for transportation enhancement projects in fiscal year 2005-2006, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Monday, October 10, 2005.

The City Manager submitted a communication advising that the Transportation Enhancement Program is intended to promote mobility, protection of the human and natural environment, community preservation, sustainability, and livability; traditionally, the program has been funded through a requirement that state departments of transportation set aside ten per cent of their Surface Transportation Program (STP) allocation each year for transportation enhancement activities; activities include such projects as facilities for pedestrians and bicyclists (such as greenways) and rehabilitation of historic transportation buildings; and the Virginia Department of Transportation (VDOT) advertised and held an applicant workshop on the TEA-21 enhancement program in Bedford, Virginia, on August 23, 2005, at which time citizens and public officials were invited to ask questions and learn more about the program.

It was further advised that any group or individual may initiate enhancement projects; however, Council and the Metropolitan Planning Organization (MPO) must endorse the applications prior to submittal to VDOT by the applicant by November 1, 2005; two enhancement project applications were received and require Council and MPO actions; in addition, two applicants have requested additional funds for existing projects which include Total Action Against Poverty (TAP) for the Dumas Center for Artistic and Cultural Development and the Roanoke Chapter of the National Railway Historical Society for the Virginian Railway Passenger Railway Station; Council and the MPO previously adopted resolutions on the two applications and no further action is required; according to VDOT, Council resolutions endorsing project applications also require that the City of Roanoke agree to be held liable for a minimum of 20 per cent of total cost for planning and design, right-of-way and construction of the project, and if the City subsequently elects to cancel a project, the City agrees to reimburse VDOT for the total amount of costs expended by VDOT through the date of cancellation of the project; and an agreement to be executed between the City of Roanoke and a project applicant requires the applicant to be fully responsible for matching funds and, if the project is canceled, the agreement also requires the applicant to reimburse the City for all amounts due to VDOT.

The City Manager recommended that Council endorse, by separate resolution, project applications and agree to pay respective percentages of the total cost for each project and, if the City elects to cancel the project, the City would reimburse VDOT for the total amount of costs associated with any work completed on the project through the date of cancellation notice; that the City Manager be authorized to execute, on behalf of the City, City/State Agreements for project administration, subject to approval of project applications by VDOT, and that the City Manager be further authorized to execute, on behalf of the City, a legally binding agreement with project applicants, subject to approval of the application by VDOT, requiring applicants to be fully responsible for matching funds, as well as all other obligations undertaken by the City by virtue of the City/State Agreement.

Council Member Dowe offered the following resolution:

(#37226-101705) A RESOLUTION requesting that the Commonwealth Transportation Board establish an enhancement project for a greenway connection from the Lick Run Greenway to the Roanoke Civic Center, via Walker Avenue.

(For full text of resolution, see Resolution Book No. 70, Page 38.)

Council Member Dowe moved the adoption of Resolution No. 37226-101705. The motion was seconded by Vice-Mayor Fitzpatrick.

The Mayor inquired if there were persons present who would like to speak in connection with the matter. There being none, he declared the public hearing closed.

There being no questions or comments by Council Members, Resolution No. 37226-101705 was adopted by the following vote:

AYES: Council Members Wishneff, Dowe, Fitzpatrick, Lea and Mayor Harris-----5.

NAYS: None -----0.

(Council Members Cutler and McDaniel were absent.)

Council Member Dowe offered the following resolution:

(#37227-101705) A RESOLUTION requesting that the Commonwealth Transportation Board establish an enhancement project for completion of an open storage system for the O. Winston Link Museum, the newest operating division of the Historical Society of Western Virginia.

Council Member Dowe moved the adoption of Resolution No. 37227-101705. The motion was seconded by Vice-Mayor Fitzpatrick and adopted by the following vote:

AYES: Council Members Wishneff, Dowe, Fitzpatrick, Lea and Mayor Harris-----5.

NAYS: None -----0.

(Council Members Cutler and McDaniel were absent.)

HEARING OF CITIZENS UPON PUBLIC MATTERS: The Mayor advised that Council sets this time as a priority for citizens to be heard and matters requiring referral to the City Manager will be referred immediately for response, recommendation or report to Council.

SCHOOLS-ARMORY/STADIUM: The following persons addressed Council with regard to stadia at William Fleming and Patrick Henry High Schools:

Mr. Ivan Moore, 2219 Carter Road, S. W., addressed the issue from the standpoint of Roanoke's youth who would prefer to play outdoor sports on a field located at their high school; plans have been included in the design of Patrick Henry and William Fleming High Schools to accommodate sports facilities; and stadiums at the two high schools would instill school pride. He asked that Council reconsider the issue of stadia at both high schools.

Mr. Chris Craft, 1501 East Gate Avenue, N. E., spoke with regard to the real estate tax freeze for Roanoke's elderly and disabled population. He stated that the City's income limits should be raised in order to be more in line with Roanoke County. He advised that funds expended by the City to display the new branding logo could have been better spent on providing more school classrooms, renovation of Victory Stadium, teacher pay raises, and Courthouse renovations. He stated that renovation of Victory Stadium would be preferred as opposed to constructing stadia at the two high schools. He spoke in support of the reelection of George McMillan as City Sheriff, and also spoke in support of adoption of new sign regulations as a part of the City's new Zoning Ordinance.

Ms. Trisha Edwards, 3045 Poplar Lane, S. W., President, Patrick Henry Parent Teacher Student Association, advised that last year a majority of City Council Members declined to consider a request of the PTSA Board to construct stadia at both Patrick Henry and William Fleming High Schools. Therefore, on behalf of the PTSA Board of William Fleming High School, she requested the support of Council to construct stadiums on the campuses of Patrick Henry and William Fleming High Schools. She called attention to petitions that were supported by principles, athletic directors, coaches, students, and PTSAs at both high schools; the PTSA Boards understand the concerns that some nearby residents of the high schools have expressed, however, the location for Patrick Henry's stadium has changed; the number of parking spaces at Patrick Henry is ample; and there is overwhelming support by students and parents. She stated that the Parent Teacher Student Associations of William Fleming and Patrick Henry High Schools do not need to express to Council the numerous benefits of school stadiums and how much the children deserve what most schools already have and enjoy; therefore, Council's support of full stadiums at both Patrick Henry and William Fleming High Schools can be a symbolic gesture of how much City Council cares for Roanoke's students.

Ms. Barbara Colonna, 2318 Laburnum Avenue, S. W., representing the Patrick Henry Parent Teacher Student Association, the Patrick Henry Athletic Boosters Club and the Woodrow Wilson Middle School PTA Board, advised that she has traveled with school sports teams and the Patrick Henry Patriot Band to numerous other high schools around the state that have on campus stadiums; and the benefits of these facilities include a safer environment, decreased transportation costs and travel time, flexibility in scheduling, opportunities to support school programs, ability to host events such as sports clinics, tournaments, and band competition, and increased participation and school spirit. She stated that the students of Roanoke City Public Schools deserve the sense of pride and ownership that school stadiums would provide; and the construction of on campus stadiums is in the best interests of the students of Roanoke City Public Schools who represent the future of the City of Roanoke.

Ms. Mary Ellen Langan, 2515 Belford Street, S. W., President, Woodrow Wilson Middle School PTA, advised that the Woodrow Wilson Middle School PTA supports the construction of football stadiums at both high schools.

Ms. Brenda Foster, 3726 Heatherton Road, S. W., First Vice-President, James Madison Middle School PTA, and a member of the PTA Board at Crystal Spring Elementary School, spoke in support of stadiums at each of the two high schools which are important elements to address the athletic needs at Patrick Henry and William Fleming High Schools.

Mr. John Phelps, 1915 Canterbury Road, S. W., President, Patrick Henry High School Athletic Boosters Club, advised that stadiums at each of the high schools are important to Roanoke's students to build community spirit and togetherness. He added that a state-of-the-art facility is under construction at Patrick Henry, therefore, this is a perfect time to construct a state of the art athletic facility; athletics are a part of the student's total experience to build pride and respect for their school and community and good character; and student safety would be improved with on campus stadiums. From an economic standpoint, he advised that if a student has the total high school experience, with pride and love of their school, they are much more inclined to return to Roanoke after graduating from college.

Mr. Jay Foster, 3726 Heatherton Road, S. W., spoke as a business owner in the City of Roanoke, a real estate investor, and as the parent of two children enrolled in the Roanoke City Public Schools. He stated that in his travels across the United States, he has had the opportunity to visit many different communities with vibrant economies that are progressing in terms of economic growth and job opportunities, especially for young people, and offer the kind of cultural amenities that will attract and retain young people. He further stated that the Roanoke Valley is one of the best places to live in the United States, with a good quality of life and all of the right ingredients to become one of the most outstanding economic hubs in the country; however, he asked the question, what will it take to get there. He advised that there is a need in the Roanoke Valley for the kind of leadership that will have a crystal clear vision of where the City of Roanoke is headed, what is important, where does the City need to invest its time and energy, and to represent the often quiet majority at the expense of an often vocal minority. He challenged the Council to resolve that it will move forward by leaving Victory Stadium in the past and to invest time and energy in the future of Roanoke's children by constructing a world-class stadia at each of the two high schools.

CULTURAL SERVICES COMMITTEE–HUMAN SERVICES COMMITTEE: William D. Bestpitch, Executive Director, Big Brothers/Big Sisters, spoke with regard to the proposed criteria for funding non-profit organizations (See pages 299 – 300). He stated that the majority of the agencies affected by the policy were not aware that the matter was to be discussed by the Council. He expressed concern with regard to the 75% attendance requirement for Board members and advised that non-profit agencies have been instructed to stop counting outputs and start measuring outcomes, therefore, the 75% attendance requirement amounts to counting an output; i.e.: how many meetings a member attends; there are certain Board members who attend meetings, but do not participate in discussions, or come to committee meetings or volunteer for fund raising events outside of Board meetings, while at the same time, there are Board members who may frequently be unable to attend Board meetings, but show their commitment and involvement to the organization in other ways, so simply counting Board attendance does not measure the outcome in terms of commitment by Board members to the various organizations. In a more general sense, he expressed concern about the continued increase in administrative requirements placed on agencies; and while agencies are told that the money they receive should be spent directly on programs and not for administrative purposes, where is the funding to meet all requirements supposed to come from. He stated that when serving on Council, he was involved in the process of changing the policy for CDBG funds to restrict the funds more toward capital projects and expansion or improvement of programs that would be short term, with no more than three years of funding; and at every opportunity during the discussions, he made the point that if CDBG funds were to be targeted in that manner, the City would need to find additional funding to provide ongoing operating support for those agencies. He advised that a number of other agencies are concerned about the proposed criteria and would like to work with the Council and the City administration to address their concerns.

ARMORY/STADIUM: Mr. Jim Fields, 17 Ridgecrest Road, Hardy, Virginia, advised that the City of Roanoke is responsible for the upkeep of Victory Stadium, pursuant to the agreement between the City and Norfolk and Western Railway; and the agreement stipulates that if the City does not maintain the property for stadium/armory and/or recreational purposes, the land will revert to the railroad who could, in turn, donate the property to Carilion Health System. He stated that Victory Stadium was constructed as a memorial to World War II veterans from the Roanoke Valley; and it does not make sense to tear down a 25,000 seat facility to construct a smaller stadium. He advised that the two high schools deserve to have their own athletic fields and Victory Stadium should be renovated and preserved in memory of those persons from Roanoke who fought for their country in World War II.

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There being no further business, the Mayor declared the meeting adjourned at 7:45 p.m.

A P P R O V E D

ATTEST:

Mary F. Parker
City Clerk

C. Nelson Harris
Mayor
